REMARKS

This is in response to the Office Action of March 1, 2005 in which claims 1, 6-8, 10-12 and 49-60 were rejected. With this response, all pending claims are presented for reconsideration and favorable action.

In the Office Action, the Examiner rejected the claims under 35 U.S.C. §103(a) relying upon Jansen, U.S. Patent No. 6,528,006, in view of Yamane et al., U.S. Patent No. 5,875,004. Applicants traverse the rejection.

Applicants note that claim 1 was amended in the Amendment filed on December 14, 2005, to state "an automated process control unit" and that the material is cut to correspond to a target image "using differences determined by comparing the material to a target image."

In the Office Action dated March 1, 2005, the Examiner added into the rejection regarding claims 1, 46, and 50-51 the phrases that the "laser is programmed to cut only to a particular depth (col. 2, lines 20-40)" and that there is a visual inspection "along the entire surface containing multiple points". In the Response to Arguments section, it was stated that the applicant's arguments had been considered but are moot in view of the new grounds(s) of rejection. Applicants do not understand what the new ground(s) of rejection are, since the same references (Jansen, Yamane) are being applied to the claims. Further, the above phrases added into the rejection by the Examiner do not seem to address the amendments Applicants made to claim 1 in the previous Amendment. Applicants are unclear if the Examiner received the amended claims.

Briefly, Jansen describes a technique for machining synthetic resin films, such as heart valve pieces, using a laser. Yamane describes a visual inspection technique.

Independent claim 1 provides a method for cutting a material segment with the beam in a production of a prosthesis.

In claim 1, the cutting is controlled by an automated process control unit. Jansen provides no automated process control unit. Instead, Jansen describes some of the parameters which should be adjusted during a particular cutting operation. Further, Yamane et al. is a simple inspection system and provides no process control. For this reason, the rejection should be withdrawn.

Furthermore, the method of claim 1 includes the use of feedback ("using a difference determined by comparing the material to a target image"). Neither Jansen or Yamane appear to provide a feedback based control system, particularly in the context of an automated control system. For this additional reason, the rejection should be withdrawn.

Neither Jansen nor Yamane show cutting the tissue sheet to separate portions of the tissue sheet with a thickness outside a selected range as in independent claim 46. For this reason, the rejection should be withdrawn.

Withdrawal of the rejections is requested. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Such action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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